

Reprinted 3/25/81

Judiciary
Taylor, Chairperson
Coleman
Small

SENATE FILE 235

BY KINLEY AND JENSEN

Amended from 3130 to Do Pass 3/4/81 (p. 659)

FILED FEB 12 1981

Passed Senate, Date 3-13-81 (p. 780) Passed House, Date _____

Vote: Ayes 40 Nays 4 Vote: Ayes _____ Nays _____

Approved _____

House 3/23 (p. 926)

A BILL FOR

1 An Act to prohibit the possession and operation of a radar
2 jamming device and providing a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Chapter 321, Code 1981, is amended by adding
2 the following new section:

3 NEW SECTION. RADAR JAMMING DEVICES--PENALTY.

4 1. A person shall not operate or possess a radar jamming
5 device, except as otherwise provided in this section, when
6 the device is used in a vehicle operated on the highways of
7 this state or the device is held for sale in this state.

8 2. This section does not apply to radar speed measuring
9 devices purchased by, held for purchase for, or operated by
10 peace officers using the devices in their official duties.

11 3. A person convicted of violating this section is guilty
12 of a simple misdemeanor. A radar jamming device may be seized
13 by a peace officer subject to forfeiture as provided by chapter
14 809. Possession of a radar jamming device is prima facie
15 evidence of a violation of this section.

16 4. For the purposes of this section "radar jamming device"
17 means any mechanism used to transmit radio microwaves in the
18 electromagnetic wave spectrum which interferes with the
19 reception of those emitted from a device used by peace officers
20 of this state to measure the speed of motor vehicles on the
21 highways of this state and which is not designed for two-way
22 transmission and cannot transmit in plain language.

23 EXPLANATION

24 This bill prohibits the possession and operation of radar
25 jamming devices and allows for their seizure and forfeiture.
26 Violation of the prohibition is a simple misdemeanor. The
27 bill takes effect July 1 following enactment.

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SENATE FILE 235

S-3130

- 1 Amend Senate File 235 as follows:
2 1. Page 1, line 4, by inserting after the word
3 "not" the word "sell,".
4 2. Page 1, by striking lines 11 and 12 and
5 inserting in lieu thereof the following:
6 "3. A radar jamming device may be seized".
7 3. Page 1, by striking lines 14 and 15 and
8 inserting in lieu thereof the following: "809."
9 4. Page 1, by striking lines 17 and 18 and
10 inserting in lieu thereof the following: "means any
11 mechanism designed or used to transmit radio waves
12 in the electromagnetic wave spectrum to interfere
13 with the".
14 5. Page 1, by inserting after line 22, the
15 following:
16 "Sec. 2. Section 805.8, Code 1981, is amended
17 by adding the following new subsection:
18 NEW SUBSECTION. For violation of section 1 of
19 this Act, the scheduled fine is ten dollars."

S-3130 FILED
MARCH 4, 1981

Adopted 3/13/81 (p. 772)

BY COMMITTEE ON JUDICIARY
LUCAS J. DeKOSTER, CHAIRPERSON

SENATE FILE 235

S-3233

- 1 Amend amendment S-3130 to Senate File 235 as
2 follows:
3 1. Page 1, by inserting after line 1 the following:
4 "____. Page 1, line 3, by inserting after the word
5 "RADAR" the words "DETECTION AND"."
6 2. Page 1, by inserting after line 3 the following:
7 "____. Page 1, line 4, by inserting after the word
8 "radar" the words "detection or"."
9 3. Page 1, line 6, by inserting after the word
10 "radar" the words "detection or".
11 4. Page 1, by inserting after line 8 the following:
12 "____. Page 1, line 16, by inserting after the
13 word "section" the words "'radar detection device"
14 means any mechanism used to detect the emission of
15 radio microwaves in the electromagnetic wave spectrum
16 which are emitted from a device used by peace officers
17 of this state to measure the speed of motor vehicles
18 on the highways of this state and"."
19 5. By renumbering to conform with this amendment.

S-3233 FILED
MARCH 23, 1981

Billed out of order 3/23 (p. 726)

BY JOHN W. JENSEN

Transportation: Holt, Chair; Lageschulte and Pavich.

Do Pass 4/9/81 (p. 1167)

SENATE FILE 235

BY KINLEY and JENSEN

(AS AMENDED AND PASSED BY THE SENATE MARCH 23, 1981)

Passed Senate, Date 4-22-81 (p. 1357) Passed House, Date 4-14-81 (p. 1243)

Vote: Ayes 47 Nays 1 Vote: Ayes 98 Nays 2

Approved May 4, 1981

A BILL FOR

1 An Act to prohibit the possession and operation of a radar
2 jamming device and providing a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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_____ = New Language
by the Senate

HOUSE AMENDMENT TO SENATE FILE 235

- S-3509
- 1 Amend Senate File 235, as amended, passed and
- 2 reprinted as follows:
- 3 1. Page 1, line 6, by striking the word "used".

S-3509 FILED
APRIL 16, 1981

RECEIVED FROM THE HOUSE

Senate concurred 4/22/81 (p. 1356)

9 readily accessible to any person riding in the vehicle
10 3. By numbering and renumbering as necessary to
11 conform to this amendment.

H-3615 FILED APRIL 13, 1981 BY SPEAR of Lee

*Lost 4/14/81 (p. 1243)
4- Reconsolidated & renumbered 4/14/81 (p. 1243)*

1 Section 1. Chapter 321, Code 1981, is amended by adding
2 the following new section:

3 NEW SECTION. RADAR JAMMING DEVICES-PENALTY.

4 1. A person shall not sell, operate or possess a radar
5 jamming device, except as otherwise provided in this section,
6 when the device is used in a vehicle operated on the highways
7 of this state or the device is held for sale in this state.

8 2. This section does not apply to radar speed measuring
9 devices purchased by, held for purchase for, or operated by
10 peace officers using the devices in their official duties.

11 3. A radar jamming device may be seized by a peace officer
12 subject to forfeiture as provided by chapter 809.

13 4. For the purposes of this section "radar jamming device"
14 means any mechanism designed or used to transmit radio waves
15 in the electromagnetic wave spectrum to interfere with the
16 reception of those emitted from a device used by peace officers
17 of this state to measure the speed of motor vehicles on the
18 highways of this state and which is not designed for two-way
19 transmission and cannot transmit in plain language.

20 Sec. 2. Section 805.8, Code 1981, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. For violation of section 1 of this Act,
23 the scheduled fine is ten dollars.

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NEW SUBSECTION. For violation of section 1 of this Act, the scheduled fine is ten dollars.

SENATE FILE 235

AN ACT

TO PROHIBIT THE POSSESSION AND OPERATION OF A RADAR JAMMING DEVICE AND PROVIDING A PENALTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter 321, Code 1981, is amended by adding the following new section:

NEW SECTION. RADAR JAMMING DEVICES--PENALTY.

1. A person shall not sell, operate or possess a radar jamming device, except as otherwise provided in this section, when the device is in a vehicle operated on the highways of this state or the device is held for sale in this state.
2. This section does not apply to radar speed measuring devices purchased by, held for purchase for, or operated by peace officers using the devices in their official duties.
3. A radar jamming device may be seized by a peace officer subject to forfeiture as provided by chapter 809.
4. For the purposes of this section "radar jamming device" means any mechanism designed or used to transmit radio waves in the electromagnetic wave spectrum to interfere with the reception of those emitted from a device used by peace officers of this state to measure the speed of motor vehicles on the highways of this state and which is not designed for two-way transmission and cannot transmit in plain language.

Sec. 2. Section 805.8, Code 1981, is amended by adding the following new subsection:

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 235, Sixty-ninth General Assembly.

LINDA HOWARTH MACKAY
Secretary of the Senate

Approved May 4, 1981

ROBERT D. RAY
Governor